

# **Exhibit 5**

**BOUVIER'S LAW DICTIONARY UNABRIDGED, RAWLE'S THIRD REVISION**

- **JURISDICTION OF THE PERSON** is that obtained by the appearance of the defendant before the tribunal. *Bissell v. Briggs*, 9 Mass. 462. Supreme Court 1813.

However, a state has jurisdiction over the persons and property within her boundaries, and may subject both to her jurisdictional power, **but cannot do so with respect to persons or property not within her jurisdiction**; *Strgis v. Fay*, 16 Ind. 429, 79 Am. Dec. 440. *BOUVIER'S LAW DICTIONARY UNABRIDGED, A CONCISE ENCYCLOPEDIA* VOL 2, PAGE 1761, RAWLE'S THIRD REVISION

- **TERRITORIAL JURISDICTION** is the power of the tribunal considered with reference to the territory within which it is to be exercised. *Bissell v. Briggs*, 9 Mass. 462. Supreme Court 1813.

Cooley speaks of (courts of general jurisdiction, by which is meant that their authority extends to a great variety of matters, while others are only of special and limited jurisdiction," that is, have authority extending only to certain specified cases; Const. Lim., 5<sup>th</sup> ed. 502. The inferior federal courts, through the Limited jurisdiction, are not technically inferior courts; *McCormick v. Sullivan*, 10 Wheat. (U. S.) 192, 6L. Ed. 300. There are courts which are competent to decide on their own jurisdiction and to exercise it to a final judgment without setting forth in their proceedings the facts and evidence on which it is rendered, whose record is absolute verity, which can be question only in an appellate court; other courts are so constituted that their judgments "can be looked through for the facts and evidence which are necessary to sustain them," whose decisions are not evidence of themselves to show jurisdiction and his lawful exercise; *Grignon v. Astor*, 2 How. (U. S.) 341, 11 L. Capital Ed. 283. *BOUVIER'S LAW DICTIONARY UNABRIDGED, A CONCISE ENCYCLOPEDIA* VOL 2, PAGE 1761, RAWLE'S THIRD REVISION

- **SUBJECT MATTER.** The cause; the object; the thing in dispute.

It is a fatal objection to the jurisdiction of the court when it has not cognizance of the subject matter of the action: as, if a cause exclusively of admiralty jurisdiction were brought in a court of common law, or a criminal proceeding in a court having jurisdiction of civil cases only; (cites omitted). In such case, neither a plea to the jurisdiction nor any other plea would be required to oust the court of jurisdiction. The cause would be dismissed by the court. Page 3063, *BOUVIER'S LAW DICTIONARY UNABRIDGED, A CONCISE ENCYCLOPEDIA* VOL 3, PAGE 3063, RAWLE'S THIRD REVISION.

- "The District of Columbia and the territories are not states within the meaning of the Constitution and of the Judiciary act..." *UNABRIDGED, A CONCISE ENCYCLOPEDIA* VOL 3, PAGE 3128, RAWLE'S THIRD REVISION.